

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	JOHN T. FORBIS	)	
		)	
TITLE:	BRACKET FOR ATTACHING	)	
	A FENCE RAIL TO A	)	
	SUPPORT	)	
		)	INFORMATION DISCLOSURE
SERIAL NO.:	_____	)	STATEMENT UNDER 37 C.F.R.
		)	§ 1.97
FILED:	April 14, 2004	)	
		)	
EXAMINER:	_____	)	
		)	
ART UNIT:	_____	)	


Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449, which contains a list of patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully invokes the Patent Office's obligation under 37 C.F.R. § 1.97 to consider these references and make them of record in the above-captioned application. While no representation is made that

CERTIFICATE OF EXPRESS MAILING

DATE OF MAILING April 14, 2004 EXPRESS MAIL LABEL NO: EV 442105731 US  
I hereby certify that this paper/ or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450

  
Karl R. Cannon  
Attorney Registration No. 36,468  
Attorney for Applicant

any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously cited by or submitted to the Office, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) that was not previously submitted to, or cited by, the Patent Office is also enclosed.

Statement of References Previously Disclosed  
Under 37 C.F.R. § 1.98(d)

The references listed on the enclosed Form PTO-1449 are not required to be provided under 37 C.F.R. § 1.98(d), and are therefore not enclosed, because they were previously cited by or submitted to the Office in application number 10/277,721, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

Please charge any additional fees or credit any overpayment to  
Deposit Account No. 50-0836.

DATED this 14 day of April, 2004.

Respectfully submitted,



Karl R. Cannon  
Attorney Registration No. 36,468  
Attorney for Applicant(s)

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KRC/kdl

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PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. T4890.B.CON.DIV3		SERIAL NO.	
<b>LIST OF PRIOR ART CITED BY APPLICANT</b>				APPLICANT John T. Forbis			
				FILING DATE April 14, 2004		GROUP	

U.S. PATENT DOCUMENTS							
EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	2,336,385	Dec. 7, 1943	Batcheller			
	AB	2,590,929	Apr. 1, 1952	Bush			
	AC	3,107,900	Oct. 22, 1963	Paolo			
	AD	3,156,282	Nov. 10, 1964	Bedford, Jr.			
	AE	3,208,778	Sep. 28, 1965	Gordon			
	AF	3,212,754	Oct. 19, 1965	Revell et al.			
	AG	3,278,149	Oct. 11, 1966	Brucker			
	AH	3,385,567	May 28, 1968	Case et al.			
	AI	3,498,589	Mar. 3, 1970	Murdock			
	AJ	3,506,243	Apr. 14, 1970	Seiler			
	AK	4,101,226	Jul. 18, 1978	Parisien			

FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AL	29,939	Oct. 22, 1898	Great Britain			
	AM	1035983	Aug. 8, 1978	Canada			
	AN	3404947 A1	Aug. 22, 1985	Germany			X

OTHER PRIOR ART (Including Author, Title, Volume and/or Name of Publication, Relevant Pages and Date [as available])			

EXAMINER	DATE CONSIDERED
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AO	4,114,861	Sep. 19, 1978	Long			
	AP	4,124,198	Nov. 7, 1978	Wong			
	AQ	4,135,837	Jan. 23, 1979	Suttles			
	AR	4,165,944	Aug. 28, 1979	Sunasky			
	AS	4,280,686	Jul. 28, 1981	Wack			
	AT	4,368,875	Jan. 18, 1983	Weiss et al.			
	AU	4,369,953	Jan. 25, 1983	Greiner et al.			
	AV	4,616,950	Oct. 14, 1986	Morris			
	AW	4,625,948	Dec. 2, 1986	Lustvee			
	AX	4,856,252	Aug. 15, 1989	Cornell			
	AY	4,919,394	Apr. 24, 1990	Otte et al.			

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	AZ	4,923,176	May 8, 1990	Heinz			
	BA	4,958,399	Sep. 25, 1990	Toal et al.			
	BB	5,101,540	Apr. 7, 1992	Roof et al.			
	BC	5,143,472	Sep. 1, 1992	Reed et al.			
	BD	5,186,571	Feb. 16, 1993	Hentzschel			
	BE	5,215,290	Jun. 1, 1993	Khalessi			
	BF	5,437,433	Aug. 1, 1995	Rezek			
	BG	5,441,241	Aug. 15, 1995	McKim			
	BH	5,474,279	Dec. 12, 1995	Parisien			
	BI	5,544,865	Aug. 13, 1996	Abbatichio			
	BJ	5,547,169	Aug. 20, 1996	Russell			

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	BK	5,564,248	Oct. 15, 1996	Callies			
	BL	5,755,431	May 26, 1998	Williams			
	BM	5,788,224	Aug. 4, 1998	Platt			
	BN	5,795,503	Aug. 18, 1998	Krake			
	BO	5,873,671	Feb. 23, 1999	West			
	BP	5,938,184	Aug. 17, 1999	DeSouza			
	BQ	5,964,452	Oct. 12, 1999	Summers			
	BR	5,967,498	Oct. 19, 1999	Junell			
	BS	5,971,365	Oct. 26, 1999	Pigott et al.			
	BT	6,017,019	Jan. 25, 2000	Erwin			
	BU	6,029,954	Feb. 29, 2000	Murdaca			

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	BV	6,039,307	Mar. 21, 2000	De Zen			
	BW	6,053,481	Apr. 25, 2000	Scheide			
	BX	6,131,358	Oct. 17, 2000	Wise			
	BY	6,173,944	Jan. 16, 2001	McCarthy			
	BZ	6,308,937	Oct. 30, 2001	Pettit			
	CA	6,398,193	Jun. 4, 2002	DeSouza			
	CB	6,471,192	Oct. 29, 2002	Erwin			
	CC	6,484,465	Nov. 26, 2002	Higgins			

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